

REMARKS

The following claims are pending in the application: 8, 9, 12 – 18, 44 and 47 – 67

The following claims have been amended: 56

The following claims have been deleted: 8, 9, 12 – 18

The following claims have been added: Not applicable

As a result of the foregoing Amendment, the following claims remain pending in the application: 44 and 47 - 67

The Rejection Under 35 U.S.C. §112, first paragraph

The Examiner rejects claims 8, 9, and 12 – 18 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner takes the position that the disclosure does not provide adequate support for a “monolithic substrate” genus.

As this response is after-final, Applicant hereby cancels claims 8, 9, and 12 -18 (reserving the right to pursue these claims through one or more related applications), thereby obviating the Examiner’s outstanding rejection.

The Rejection Under 35 U.S.C. §112, second paragraph

The Examiner rejects claim 56 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner considers claim 56 indefinite because it depends from a cancelled claim. The Examiner has considered claim 56 as dependent from claim 55 for the purposes of examination.

Applicant has amended claim 56 to properly depend from claim 55 rather than claim 5, thereby correcting the obvious typographical error recognized by the Examiner. In light thereof, Applicant respectfully submits that the Examiner's outstanding rejection of claim 56 may be properly withdrawn.

Double Patenting Rejection

The Examiner rejects claims 8, 9, 12 – 18, 44, and 47 – 67 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 7 – 11, 16, 22 – 30, and 56 – 58 of U.S. Pat. No. 6,855,950.

Applicant has cancelled claims 8, 9, and 12 – 18, and has included herewith a terminal disclaimer thereby rendering the Examiner's outstanding rejection moot.

CONCLUSION

In view of the foregoing amendment and accompanying remarks, the Applicants respectfully submit that the present application is properly in condition for allowance and may be passed to issuance upon payment of the appropriate fees.

Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully encouraged.

Respectfully submitted,

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